

Response ID ANON-C9BS-2JK7-F

Submitted to Proposed reforms to the National Planning Policy Framework and other changes to the planning system
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Institute of Acoustics

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Professional body

If you answered "other", please provide further details:

Consultation Introduction

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

Answer:

Not at this time.

However, should the Government decide to progress with National Development Management Policies, our view is that the manner in which this is done should be consulted upon.

2) Do you agree with the new format and structure of the NPPF which comprises separate plan-making policies and national decision-making policies?

Partly agree

a) Please provide your reasons, particularly if you disagree :

The IOA agrees in principle to the changes to the structure of the Framework to improve its clarity, usability, and consistency.

It is made clear in paragraph 8 that thematic plan-making policies should not be used when making decisions. If the intention is also that decision-making policies should not be used when drafting plans, this should be made clear.

Similarly, there is no clear statement in paragraphs 6 or 7 that the plan-making policies should not be used when making decisions, and vice versa. Again, if this is the intention, this should be made clear.

These clarifications could be achieved with the following amendments (new text shown in "quote marks"):

6. The plan-making policies should be read as a whole (including relevant footnotes and annexes), and applied in a way which is appropriate to the type of plan being produced, the area which it covers and the period it is intended to cover. Reflecting this, some of the plan-making policies indicate actions which should be taken at the most appropriate level, which recognises that plan-making arrangements will vary across the country (for example in the geographic scale of spatial development strategies and local plans). "Plan-making policies should not be used when making decisions on development proposals."

7. The national decision-making policies should also be read as a whole (including relevant footnotes and annexes). Some of these policies indicate how much weight the government would expect a particular consideration to be given, including cases where it is appropriate to give substantial weight to certain benefits, and the limited circumstances in which it is expected that permission would be refused. "Decision-making policies should not be used when making plans."

8. The thematic chapters contain both plan-making policies and national decision-making policies so that the approach to particular topics can be seen in

the round. However, the plan-making policies should not be used when making decisions on development proposals "and vice versa".

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?

Not Answered

a) Please provide your reasons, particularly if you disagree :

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 1: Introduction

5) Do you agree with the proposed approach to simplifying the terminology in the NPPF where weight is intended to be applied?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 2: Plan-making policies

6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?

Not Answered

a) Please provide your reasons, particularly if you disagree :

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?

Strongly agree

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?:

The proposal to alter or replace spatial development strategies at least every five years aligns with the statutory review cycle for noise mapping and action plans under the Environmental Noise (England) Regulations 2006, as amended. Having this frequency of review will mean that the Government's sustainable development objectives are underpinned by the most recent evidence on health, quality of life and wellbeing effects of noise and vibration, and the health benefits of positive Soundscapes (i.e. the sound environment as perceived in context).

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?

Not Answered

a) Please provide your reasons, particularly if you disagree :

9) Do you agree with the role, purpose and content of local plans set out in policy PM2?

Not Answered

a) Please provide your reasons, particularly if you disagree :

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?

Not Answered

a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why. :

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

Partly agree

a) Please provide your reasons, particularly if you disagree :

The IOA agrees in principle to the changes to the structure of the Framework to improve its clarity, usability, and consistency, however the IOA feels that PM6(1)(e) should be amended as set out below (new text shown in "quote marks", formatting does not allow footnotes to be shown as superscript):

1. All plan-makers should, in preparing plans:

e. Use environmental assessment to inform the preparation of plans, where legally required¹², "including making use of Soundscape concepts where appropriate to assist in identifying the optimum site for a particular type of development^{XX}"; and,

"XX – The Science of Soundscapes - summary of the evidence base from the UK acoustics community - P. Rogers et al Proceedings of the Institute of Acoustics Vol 45, Pt 3 2023"

12) Do you agree with the approach to initiating plan-making in PM7?

Not Answered

a) Please provide your reasons, particularly if you disagree :

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

The IOA disagrees with the sentiment in PM8(2)(e). Plan makers should not be prevented from preparing new or additional evidence after a plan has been submitted for examination on their own initiative. This will enable relevant evidence that could have a material bearing on the deliberations of the appointed Inspector or examiner to be included.

There seems to be a presumption that appointed Inspectors or examiners will be aware of the existence of new relevant evidence, which the IOA believes may not be the case.

Proposed change:

Delete PM8(2)(e).

14) Do you agree with the approach to identifying land for development in PM9?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?

Not Answered

a) Please provide your reasons, particularly if you disagree :

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

Not Answered

a) Please provide your reasons, particularly if you disagree :

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination?

Not Answered

a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?:

20) Do you have any specific comments on the content of the plan making chapter which are not already captured by the other questions in this section?

Answer:

Chapter 3: Decision-making policies

21) Do you agree with the principles set out in policy DM1?

Not Answered

a) Please provide your reasons, particularly if you disagree :

22) Do you agree with the policy DM2 on information requirements for planning applications?

Strongly disagree

a) Please provide your reasons, particularly if you disagree.:

The reason the IOA strongly disagrees is because the summary of national decision-making policies in draft NPPF Annex C excludes any reference to those policies relating to environmental protection. Proposed change for Annex C – focussing on noise; other environmental topics, such as air quality, should also be covered as appropriate.

Suggested additional, new row for Annex C:

Policy theme:

Environmental effects

National decision-making policy:

P3: Living conditions and pollution;

P4: Impact of development on existing activities (where relevant)

Information requirement:

Noise impact assessment. Identification of any significant adverse noise impacts and any adverse noise impacts, and proposed mitigation to comply with overarching national policy.

Other relevant environmental topics to be included as required

23) Do you have any views on whether such a policy could be better implemented through regulations?

Answer:

24) Do you agree with the principles set out in DM3?

Strongly disagree

a) Please provide your reasons, particularly if you disagree.:

The reason for this view is that it is essential that planning authorities consult with their local environmental health practitioners so that their expertise can be used to check that the development proposals have properly assessed the potential environmental impacts, such as noise. Our proposed change is to DM3(1)(d) only (proposed deletions shown in [square brackets])

DM3

1. When considering development proposals, local planning authorities should:

d. Consult statutory [or internal] consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory [or internal] consultee beyond their statutory deadlines unless there is insufficient information to make the decision or more detailed advice may enable an approval rather than a refusal;

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

Not Answered

a) Please provide your reasons, particularly if you disagree :

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

Answer:

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

a) Please explain. If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.:

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

a) Please explain. If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations:

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

Strongly disagree

Answer:

DM6(1) sets out tests for planning conditions, which largely repeat those that have been in existence for 30 years, and found to be effective. However, in articulating the tests in DM6(1), the tests of 'precision' and 'enforceability' have been combined into a single test that has a slightly different meaning than at present.

As written, Policy DM6(1)(c) requires conditions to be sufficiently precise so they can be enforced. But in noise management, it is possible to have a precise condition that is unenforceable, therefore enforceability needs to be a separate requirement, as is the case at the moment.

Our suggested change to DM6(1) is (new text shown in "quote marks" and proposed deletions shown in [square brackets]):

DM6(1)

1. Planning conditions should only be attached to planning permissions and other associated consents for development where they are:

c. Sufficiently precise to make them capable of being "met" [complied with and enforced];

"d. Enforceable;" and

"e." Reasonable in all other respects.

The IOA believe there is a lack of clarity in DM6(4) where the words 'unacceptable impacts' are used instead of 'acceptable in planning terms'. We feel our proposed change makes DM6(4) consistent with text elsewhere in the proposed NPPF, for example in Policy DM1(1)(b)(iii) (new text shown in "quote marks" and proposed deletions shown in [square brackets]):

DM6(4)

Planning obligations should only be used "where necessary to make the development acceptable in planning terms; are directly related to the development; and are fairly and reasonably related in scale and kind to the development" [it is not possible to address potential unacceptable impacts through a planning condition]. Where national model planning obligations are relevant to the development, they should be used unless a different planning obligation is more appropriate.

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

31) Do you agree with the new intentional unauthorised development policy in policy DM8?

Not Answered

a) Please provide your reasons, particularly if you disagree :

32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

a) If so, are there any particular additions or mitigations which we should consider?:

33) Do you agree with the new Article 4 direction policy in policy DM10?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 4: Achieving sustainable development

34) Do you agree with the proposed approach to setting a spatial strategy in development plans?

Not Answered

a) Please provide your reasons, particularly if you disagree :

35) Do you agree with the proposed definition of settlements in the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

36) Do you agree with the revised approach to the presumption in favour of sustainable development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

37) Do you agree to the proposed approach to development within settlements?

Not Answered

a) Please provide your reasons, particularly if you disagree :

38) Do you agree to the proposed approach to development outside settlements?

Not Answered

a) Please provide your reasons, particularly if you disagree :

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?

Not Answered

a) Please provide your reasons:

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Not Answered

a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.:

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?

Not Answered

a) If not, please provide your reasons:

Chapter 5: Meeting the challenge of climate change

42) Do you agree with the approach to planning for climate change in policy CC1?

Not Answered

a) Please provide your reasons, particularly if you disagree :

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

Not Answered

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration? :

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?

Not Answered

a) What additional measures could be taken to ensure climate change mitigation is given appropriate consideration? :

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?

Not Answered

a) Please provide your reasons, particularly if you disagree :

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

Answer:

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

Answer:

Chapter 6: Delivering a sufficient supply of homes

48) Do you agree the requirements for spatial development strategies and local plans in HO1 and HO2 are appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

49) Is further guidance is required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?

Not Answered

If so, what elements should this guidance cover?:

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?

Not Answered

a) Please provide your reasons, particularly if you disagree :

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?

Not Answered

a) If so, what are the key principles this guidance should establish?:

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?.

Not Answered

a) Please provide your reasons, particularly if you disagree :

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear?

Not Answered

a) Please provide your reasons, particularly if you disagree :

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

There is a potential lack of clarity in the current drafting. When determining potential locations for large scale residential and mixed-use development, it is essential that consideration is given to the potential environmental impacts on people living in the new development and from the development on those living nearby. This would avoid sites from being identified where it is not reasonably practicable to mitigate the environmental effects such that national policies are met. Our proposed change is to HO4(1)(c) only (new text shown in "quote marks"):

HO4

1. The development plan should identify suitable locations for large scale development, such as new settlements, new urban quarters or significant extensions to existing settlements. These locations should:

c. Address strategic environmental opportunities and safeguards, including those set out in Local Nature Recovery Strategies "and including complying with relevant aspects of policy P1".

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?

Not Answered

a) Please provide your reasons, particularly if you disagree :

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?

Not Answered

a) Please provide your reasons, and would you support an alternative minimum percentage requirement?:

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to set identify sites or set requirements for parts of allocated sites are proportionate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?

Not Answered

a) Please provide your reasons and indicate if an alternative site size threshold would be preferable? :

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?

Not Answered

a) Please provide your reasons:

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

Answer:

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?

Not Answered

a) Please provide your reasons, particularly if you disagree :

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?

Not Answered

a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?:

66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

a) If so, what changes would be beneficial?:

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

Not Answered

a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.:

b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer:

68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).

Answer:

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.

Answer:

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

Not Answered

a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite. :

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?

Not Answered

a) Please provide your reasons, particularly if you disagree :

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people?

Not Answered

a) Please provide your reasons, particularly if you disagree :

73) Do you agree with the criteria set out regarding the locations of specialist community-based accommodation, including changes to the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

74) Do you agree with the criteria set out regarding the locations of purpose built student accommodation and large scale shared living accommodation, including changes to the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

75) Do you agree the proposals provide adequate additional support for Rural Exception Sites?

Not Answered

a) Please provide your reasons, including what other changes may be needed to increase their uptake?:

76) Do you agree with proposals to remove First Homes Exception Sites as a discrete form of exception site?

Not Answered

a) Please provide your reasons, particularly if you disagree :

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?

Not Answered

a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?:

78) Do you agree the proposals to set out requirements for traveller sites at HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?

Strongly disagree

79) Please provide your reasons to Question 78, particularly if you do not agree

Answer:

Our strong disagreement relates to the drafting of HO12(1)(c). For clarity and consistency, reference should also be made to avoiding significant adverse impacts from noise as well as minimising adverse impacts (for consistency with wider Government noise management policies). We have included reference to 'quality of life' to maintain consistency with other noise management policies.

Our suggested change is to HO12(1)(c) only (new text shown in "quote marks" and proposed deletions shown in [square brackets]):

1. Development proposals for traveller sites should be located and designed so that they:

c. Promote opportunities for healthy lifestyles, such as by providing adequate landscaping and play areas for children, "avoiding significant adverse impacts" and minimising adverse impacts from local environmental factors (such as noise and air quality) on the health," [and] wellbeing", and quality of life" of travellers that may locate there; and

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?

Not Answered

a) Please provide your reasons, particularly if you disagree :

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported?

Not Answered

a) Please provide your reasons, particularly if you disagree :

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?

Not Answered

a) Please provide your reasons:

83) Do you agree with the proposed changes to the Housing Delivery Test rule book?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 7: Building a strong , effective economy

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

85) Do you agree with the approach to meeting the need for business land and premises in policy E2?

Not Answered

a) Please provide your reasons, particularly if you disagree :

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

87) Do you agree with the approach to rural business development in policy E4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 8: Ensuring the vitality of town centres

88) Do you agree with the proposed changes to policy for planning for town centres?

Not Answered

a) Please provide your reasons, particularly if you disagree :

89) Do you agree with the approach to development in town centres in policy TC2?

Not Answered

a) If not, please explain how you would achieve this aim differently :

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

Answer:

91) Do you believe the sequential test in policy TC3 should be retained?

Not Answered

a) Please provide your reasons, particularly if you disagree :

92) Do you agree with the approach to town centre impact assessments in policy TC4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 9: Supporting high quality communications

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?

Not Answered

a) Please provide your reasons, particularly if you disagree :

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

It is important to recognise that telecommunications infrastructure can cause noise impacts, such as from cooling fans on base stations, fibre exchanges and data cabinets, therefore CO1(1)(b) should be amended as follows (new text shown in "quote marks"):

CO1

1. Development proposals for the expansion or upgrading of electronic telecommunications networks, including (but not limited to) next generation

wireless technologies (such as standalone 5G), gigabit-capable broadband connections and supporting infrastructure such as fibre exchanges, should:

b. Be sited and designed to minimise the visual "and noise" impact"s" of the proposals, especially in situations where a new site or structure is proposed;

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 10: Securing Clean Energy and Water

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1

Not Answered

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?:

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon development in policy W2?

Not Answered

a) Please provide your reasons, particularly if you disagree:

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

Partly disagree

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy?:

For clarity, the IOA believes that it needs to be made clear that the word 'emissions' in W3(1)(c) means greenhouse gas emissions, and not other forms of emission such as noise. Such developments could have an adverse noise impact on those living nearby. Our proposed change is to W3(1)(c) only (new text shown in "quote marks"):

W3

1. In considering proposals for renewable and low-carbon energy development and electricity network infrastructure, substantial weight should be given to:

c The contribution that small-scale and community-led renewable and low carbon energy projects can make to reducing "greenhouse gas" emissions, along with their associated economic and social benefits

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

For clarity, it is important that appropriate consideration is given to other environmental effects when addressing water infrastructure. Our proposed amendment is a new subclause in W4(1) (new text shown in "quote marks"):

W4

1. In considering proposals for water supply, drainage and wastewater development, substantial weight should be given to:

"c. mitigating any other environmental adverse impacts that may occur as required by other policies."

Chapter 11: Facilitating the sustainable use of minerals

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?

Not Answered

a) Please provide your reasons, particularly if you disagree :

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'?

Not Answered

a) Please provide your reasons, particularly if you disagree :

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?

Not Answered

a) Please provide your reasons, particularly if you disagree :

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?

Not Answered

106) Please provide your reasons in response to question 105, particularly if you disagree

Answer:

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?

Partly disagree

108) Please provide you reasons in response to question 107, particularly if you do not agree

Answer:

For clarity, it is important that minerals processing activities are explicitly mentioned as they can cause adverse noise or vibration impacts. In addition, noise limits should apply not just to noise-sensitive properties, but to noise-sensitive receptors, as appropriate.

Our proposed change is to M4(1)(b) only (new text shown in "quote marks" and proposed deletions shown in [square brackets]):

M4

1. Proposals for mineral development should:

b. Ensure any unavoidable noise, dust and particle emissions and any vibrations from blasting "and minerals processing activities" will be controlled, mitigated or removed at source, and that appropriate noise limits are established for extraction in proximity to noise sensitive "receptors" [properties] (recognising that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction); and

109) Do you agree with approach to coal, oil and gas in policy M5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

110) Are there any other exceptional circumstances in which coal extraction should be permitted?

Not Answered

111) If yes in reply to question 110, please outline the exceptional circumstances in which you think coal extraction should be permitted.

Answer:

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 12: Making effective use of land

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

Not Answered

115) If not, in response to question 114, what further guidance is needed?

Answer:

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?

Not Answered

a) Please provide your reasons, particularly if you disagree :

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?

Not Answered

a) If not, what typologies should be added or removed and why?:

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?

Not Answered

a) Please provide your reasons, particularly if you disagree :

119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions.

Not Answered

a) Please provide your reasons, particularly if you disagree :

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?

Not Answered

a) Please provide your reasons, particularly if you disagree :

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?

Not Answered

a) If not, please explain how guidance could be clearer?:

122) Do you agree with the minimum density requirements set out within policy L3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence.:

123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy?

Not Answered

a) Please provide your reasons, particularly if you disagree :

124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters proposed for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station?

Not Answered

a) Please provide your reasons and preferred alternatives:

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

Not Answered

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be? :

126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?

Not Answered

127) In reply to question 126, if so, what should that range be, and which locations should it apply to?

Answer:

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

Not Answered

129) Please provide you reasons in response to question 128, particularly if you disagree

Answer:

Chapter 13: Protecting Green Belt land

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts?

Not Answered

131) Please provide your reasons in response to question 130, particularly if you disagree.

Answer:

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?

Not Answered

135) Please provide your reasons in response to question 134, particularly if you disagree.

Answer:

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

Not Answered

a) Please provide your reasons, particularly if you disagree :

137) Do you agree policy GB7(1h) successfully targets appropriate development locations and types in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Not Answered

138) Please provide your reasons to your reply to question 137, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers

Answer:

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?

Not Answered

a) Please provide your reasons, particularly if you disagree :

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

Answer:

141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?

Not Answered

142) Please explain your answer to question 141, including your view on the appropriate approach to setting a 'floor', and the right level for this?

Answer:

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?

Not Answered

a) Please explain your answer.:

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

Answer:

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 14: Achieving well-designed places

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

147) Do you agree with the approach to design tools set out in policy DP2?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4?

Not Answered

a) If not, what else would help secure better design and placemaking outcomes?:

Chapter 15: Sustainable transport

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?

Not Answered

a) Please provide your reasons, particularly if you disagree :

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places?

Not Answered

a) Please provide your reasons, particularly if you disagree :

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need?

Not Answered

a) Please provide your reasons, particularly if you disagree :

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network?

Not Answered

a) Please provide your reasons, particularly if you disagree :

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

The IOA strongly disagrees with the drafting of TR7(1)(d). Simply requiring that the proposals should "have an acceptable environmental effect" is ambiguous and is inconsistent with the overarching Government policy on noise management, as set out in the Noise Policy Statement for England, current aviation noise management policy, and National Policy Statements on Ports.

Our proposed change is to TR7(1)(d) only (new text shown in "quote marks" and proposed deletions shown in [square brackets]) (Formatting does not allow footnotes to be shown as superscript):

TR7.

1. Development proposals involving the provision, expansion or alteration of port, airport, advanced air mobility and aviation facilities (and development ancillary to them) should:

d. "avoid noise giving rise to significant observed adverse effects on health and quality of life(1), mitigate and minimise adverse noise effects on health and quality of life(1), and have" [Have] an acceptable environmental effect in terms of [noise,] air quality, carbon emissions, the transport network, landscape, visual and marine impacts.

"(1) – See the Noise Policy Statement for England, including the explanatory note (Department for Environment, Food & Rural Affairs, 2010)."

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 16: Promoting healthy communities

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

159) Do you agree that Local Green Space should be 'close' to the community it serves?

Not Answered

a) Please provide your reasons, particularly if you disagree :

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?

Answer:

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

Not Answered

a) Please provide your reasons, particularly if you disagree :

163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?

Not Answered

a) Please provide your reasons, particularly if you disagree :

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 17: Pollution, Public Protection and Security

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

The proposed wording of Policy P1 is inconsistent with current Government noise management policy, as set out in:

- the Noise Policy Statement for England;
- National Policy Statements for Nationally Significant Infrastructure Projects, including Energy, National Networks, Airports, Ports, and Waste Water; and
- Minerals.

Retaining the currently-proposed NPPF drafting will, in the view of the Institute, lead to inevitable additional delay and legal challenge to the Development

Plan process.

Consistency with the Government's current noise management policy can be achieved with the following amendments to P1(1)(c) only (new text shown in "quote marks" and proposed deletions shown in [square brackets]) (Formatting does not allow footnotes to be shown as superscript):

P1 (1)

c. "avoid significant observed adverse effects from noise on health and quality of life(1), mitigate and minimise adverse effects from noise on health and quality of life(1), and consider" [Consider] any wider opportunities to reduce air, water, soil and noise pollution, and contribute to compliance with national and local environmental targets and objectives, through the spatial strategy and policies for specific parts of the plan area (such as by identifying opportunities for strategic nature-based solutions);

"(1) – See the Noise Policy Statement for England, including the explanatory note (Department for Environment, Food & Rural Affairs, 2010)."

In connection with policies P1(1)(b)(ii) and P1(1)(b)(iii), it is assumed that not causing or not being exposed to unacceptable levels of pollution has the same meaning as 'preventing' such unacceptable levels from occurring. The text in paragraph 187(e) of the current NPPF is arguably clearer on this point, and the word 'prevent' also appears in this context in the Government's Overarching National Policy Statement policy on Energy (paragraph 5.11.15 of NPS EN-1).

There is no definition of the word 'pollution' in the draft NPPF. For clarity, it is suggested that the following definition is included in the Glossary:

"Pollution shall include, but not be limited to, noise emissions, emissions to air and water, odour, and ground contaminants, unless the context states otherwise."

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

Answer:

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

The proposed wording of Policy P3 is inconsistent with current Government noise management policy, as set out in:

- the Noise Policy Statement for England;
- National Policy Statements for Nationally Significant Infrastructure Projects, including Energy, National Networks, Airports, Ports, and Waste Water; and
- Minerals.

Retaining the currently-proposed NPPF drafting will, in the view of the Institute, lead to inevitable additional delay and legal challenge to the Development Plan process.

Notwithstanding these concerns, the IOA supports both the seeking of opportunities to mitigate and minimise the adverse effects of noise, and also the focus on those who might be particularly vulnerable to the effects of noise in policy P3(2)(a).

Policy P3 can be made consistent with the Government's current noise management policy can be achieved with the following amendments (new text shown in "quote marks" and proposed deletions shown in [square brackets]) (Formatting does not allow footnotes to be shown as superscript):

P3 (1)

b. Provide healthy living conditions for occupiers and users in terms of having adequate access to light and "preventing" [avoiding] exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and wellbeing "or quality of life";

We have added the words 'quality of life' to reinforce consistency with other current noise management policies.

With regard to P3(1)(c), no change is proposed on the basis that 'not give rise to' has the same meaning as 'prevent'. The text in paragraph 187(e) of the current NPPF is arguably clearer on this point, and the word 'prevent' also appears in this context in the Government's Overarching National Policy Statement policy on Energy (paragraph 5.11.15 of NPS EN-1).

P3 (2)

a. Mitigate the effect of existing pollution on the site where necessary to secure [acceptable] conditions for occupiers and users "that are not unacceptable" and, where possible, take opportunities to "mitigate and minimise" [reduce] pollution affecting the wider area (such as through traffic and travel management or improved external lighting). In doing so consideration should be given to the cumulative effect of pollution from multiple sources, and to whether the intended occupiers or users may be particularly vulnerable to its effects, such as children and older people;

c. "Avoid noise from giving rise to" [Not result in levels of noise exposure which would have a] significant observed adverse effects "on health and quality of life(1), and mitigate and minimise adverse effects on health and quality of life(1)". Maintain the character of tranquil areas (those that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);

"(1) – See the Noise Policy Statement for England, including the explanatory note (Department for Environment, Food & Rural Affairs, 2010)."

With regard to policy P3(3), the IOA is concerned that there may be an inconsistency with policy DM7(1). Clearly it is appropriate for relevant other regimes for the control of pollution to be relied upon rather than duplicating controls within the planning process. But it must be made clear that these other regimes may not completely address all forms of noise impact that could occur.

3. In applying this policy, it should [not] be assumed that other regimes for the control of pollution "are operated effectively but" will "not" necessarily "address all adverse impacts" [eliminate emissions completely].

There is no definition of the word 'pollution' in the draft NPPF. For clarity, it is suggested that the following definition is included in the Glossary:

"Pollution shall include, but not be limited to, noise emissions, emissions to air and water, odour, and ground contaminants, unless the context states otherwise."

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

As drafted, the text lacks clarity and is inconsistent with current Government noise management policy. The following changes will remove those inconsistencies and lack of clarity (new text shown in "quote marks" and proposed deletions shown in [square brackets]).

There is a minor drafting error, where P4(4) directly follows P4(2); there is no P4(3).

P4

2. Where the "full extent of the consented" operation of an existing activity could have a significant adverse effect on a proposed new development in its vicinity, development proposals should:

b. Be able to demonstrate that suitable mitigation can be provided before the development has begun to be occupied, "to avoid a significant adverse effect from occurring" [if the development is to be acceptable]. Planning conditions or obligations should be used to secure agreed mitigation measures.

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?

Not Answered

a) Please provide your reasons, particularly if you disagree :

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 18: Managing Flood Risk and Coastal Change

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?

Not Answered

a) Please provide your reasons, particularly if you disagree :

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

173) Do you agree with the proposed approach to the exception test set out in policy F6?

Not Answered

a) Please provide your reasons, particularly if you disagree :

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?

Not Answered

a) Please provide your reasons, particularly if you disagree :

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?

Not Answered

a) Please provide your reasons, particularly if you disagree :

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

Answer:

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications?

Not Answered

a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to:

Chapter 19: Conserving and enhancing the natural environment

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?

Partly disagree

a) Please provide your reasons, particularly if you disagree:

The IOA supports the policy to identify opportunities for the conservation, enhancement and recovery of landscapes but feels that the important role that Soundscape can have should also be included.

Our proposed change to N1(1)(b) will achieve this aim (new text shown in "quote marks"):

N1: Identifying environmental opportunities and safeguards

1. Development plans should safeguard and enhance the natural environment, and reflect the wider benefits from natural capital and ecosystem services, by using Local Nature Recovery Strategies, Protected Landscape Management Plans, River Basin Management Plans, National Forest Strategies, Community Forest Plans and other relevant evidence at the most appropriate level to:

b. Identify opportunities for the conservation, enhancement and recovery of landscapes, sensitive waterbodies, habitats and species of principal importance, including through habitat restoration, the use of nature-based solutions, "enhancing the quality of the Soundscape," and the creation and strengthening of ecological networks that are more resilient to current and future pressures (including opportunities which exist at a catchment or landscape scale across plan boundaries)

180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

Answer:

181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

Not Answered

a) Please provide your reasons, including how policy can be improved to ensure compliance:

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?

Not Answered

a) Please provide your reasons, particularly if you disagree:

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

Answer:

Chapter 20: Conserving and enhancing the historic environment

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?

Not Answered

a) Please provide your reasons:

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

Answer:

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties?

Not Answered

a) Please provide your reasons, particularly if you disagree :

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?

Not Answered

a) Please provide your reasons, particularly if you disagree :

191) Do you have any other comments on the revisions to the heritage chapter?

Answer:

Further questions

192) Do you agree with the transitional arrangements approach to decision-making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

193) Do you have any further thoughts on the policies outlined in this consultation?

Answer:

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Annex A - Data Centres / Onsite Generation

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?

Not Answered

a) Please provide your reasons:

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?

Not Answered

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons. :

197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.

Answer:

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres?

Not Answered

a) Please provide your reasons:

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

Answer:

Annex B - Viability: Standardised inputs in viability assessment

200) Would you support the use of growth testing for strategic, multi-phase schemes?

Not Answered

a) Please explain your answer.:

201) Would you support the optional use of growth testing for regeneration schemes?

Not Answered

a) Please explain your answer.:

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?

Not Answered

a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing:

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

a) Please explain your answer. The government is particularly keen for views on whether clarifying the appropriate profit on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision making. :

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

a) Please explain your answer:

205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

a) Please explain your answer:

206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?

Not Answered

a) Please explain your answer:

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

a) Please explain your answer:

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?

Not Answered

a) In what circumstances might a premium, or the usual premium, not be required?:

b) What impact (if any) would you foresee if this change were made?:

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met?

Not Answered

a) Please explain your answer:

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used?

Not Answered

a) If another metric, please set out your preferred approach and rationale:

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

a) Please explain your answer:

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context?

Not Answered

a) Please explain your answer:

Annex C - Reforming Site Thresholds

213) Do you agree that a 2.5 hectare threshold is appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development?

Not Answered

216) In relation to question 215, if so, please explain your answer and provide views on potential mitigations.

Answer:

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

a) Please provide your reasons, particularly if you disagree :

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

a) Please provide your reasons, particularly if you disagree :

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

a) Please explain your answer:

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

Answer:

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

Answer:

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

Answer:

Public Sector Equality Duty

224) Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic?

Not Answered

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. :

225) Is there anything that could be done to mitigate any impact identified?

a) Please explain your answer: